

PUBLIC SAFETY DEPARTMENT[661]

Notice of Intended Action

Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)“b.”

Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.

Pursuant to the authority of Iowa Code section 103.6 and 2014 Iowa Acts, chapter 1116, division VI, the Electrical Examining Board hereby gives Notice of Intended Action to adopt new Chapter 506, “Military Service and Veteran Reciprocity,” Iowa Administrative Code.

The Electrical Examining Board is authorized under Iowa Code section 103.6 to adopt administrative rules governing all aspects of the licensing of electricians and electrical contractors and of the state electrical inspection program. The proposed amendment is designed to adopt rules related to the Home Base Iowa Act, 2014 Iowa Acts, Senate File 303, to be codified at Iowa Code section 272C.4.

The Home Base Iowa initiative is focused on matching veterans with good, high-paying jobs in Iowa. The Occupational Employment Statistics (OES) Wage Survey shows that Iowa electricians have an average annual income of \$46,980, which is higher than the average for all occupations. National statistics provide similar conclusions about electricians across the United States.

The United Services Military Apprenticeship Program (USMAP), a partnership between the U.S. Department of Labor (DOL) and the military allows service members to use their on-duty experience to earn journeyman status in a trade. USMAP is a formal military training program executed by the Center for Personal and Professional Development that provides active duty Coast Guard, Marine Corps, and Navy service members the opportunity to improve their job skills and to complete their civilian apprenticeship requirements while they are on active duty. DOL provides the nationally recognized Certificate of Completion upon program completion. Originally established in 1976 as a Navy program, the three Sea Services merged into a single program registered with DOL (N-93063) in April 2000. USMAP allows active duty service members to complete a DOL apprenticeship program while serving their country.

The objective of the National Apprenticeship Standards for USMAP is to provide registered certification of the training of the individual military service member and to achieve recognition for the military service member equal to the service member’s civilian counterpart. USMAP supports apprenticeship training in 125 occupations, including electricians.

Electrical work in military settings is similar to the work performed by civilian electricians, including lighting hospitals, running power tools, and operating computers. In military assignments, personnel may serve as building electricians who install and repair electrical wiring systems in offices, repair shops, airplane hangars, and other buildings on military bases. Building electricians in the military may install and wire transformers, junction boxes, and circuit breakers using wire cutters, insulation strippers, and other hand tools; read blueprints, wiring plans, and repair orders to determine wiring layouts or repair needs; cut, bend, and string wires and conduits (pipe or tubing); inspect power distribution systems, shorts in wires, and faulty equipment using test meters; repair and replace faulty wiring and lighting fixtures; and install lightning rods to protect electrical systems.

Military job training also is similar to civilian training, consisting of classroom instruction and practice in the installation and repair of electrical wiring systems. Further training occurs on the job and through advanced courses. Course content typically includes fundamentals of electricity, electrical circuit troubleshooting, safety procedures, and techniques for wiring switches, outlets, and junction boxes. These same skills are learned in civilian training programs.

The training and experience that veterans receive as part of their military duties can be translated well into the civilian sector. Veterans who locate in or come home to Iowa to work should have their skills recognized in the licensing system for electricians.

A public hearing on these proposed rules will be held on December 2, 2014, at 9:30 a.m. in the First Floor Public Conference Room (Room 125), Oran Pape State Office Building, 215 East 7th Street, Des Moines, Iowa. Persons may present their views orally or in writing at the public hearing.

In addition, any written comments or information regarding these proposed rules may be directed to the Agency Rules Administrator by mail to Agency Rules Administrator, Iowa Department of Public Safety, Oran Pape State Office Building, 215 East 7th Street, Des Moines, Iowa 50319; or by electronic mail to admrule@dps.state.ia.us by 4:30 p.m. on December 2, 2014.

Rules of the Electrical Examining Board are subject to the waiver provisions of rule 661—501.5(103). The Board does not have authority to waive requirements established by statute.

After analysis and review of this rule making, there will be a positive impact on jobs due to the expedited process of issuing reciprocal and provisional licenses to veterans who locate in or return to Iowa.

These rules are intended to implement Iowa Code sections 103.6 and 272C.4 and 2014 Iowa Acts, chapter 1116, division VI.

The following amendment is proposed.

Adopt the following new 661—Chapter 506:

CHAPTER 506
MILITARY SERVICE AND VETERAN RECIPROCITY

661—506.1(85GA,ch1116) Definitions.

“Board” means the electrical examining board established in Iowa Code section 103.2.

“Military service” means honorably serving on federal active duty, state active duty, or national guard duty, as defined in Iowa Code section 29A.1; in the military services of other states, as provided in 10 U.S.C. Section 101(c); or in the organized reserves of the United States, as provided in 10 U.S.C. Section 10101.

“Military service applicant” means an individual requesting credit toward licensure for military education, training, or service obtained or completed in military service.

“Veteran” means an individual who meets the definition of “veteran” in Iowa Code section 35.1(2).

661—506.2(85GA,ch1116) Military education, training, and service credit. A military service applicant may apply for credit for verified military education, training, or service toward any experience or educational requirement for licensure by submitting a military service application form to the board office.

506.2(1) The application may be submitted with an application for licensure or examination, or prior to applying for licensure or to take an examination. No fee is required for the submission of an application for military service credit.

506.2(2) The applicant shall identify the experience or educational licensure requirement to which the credit would be applied if granted. Credit shall not be applied to an examination requirement.

506.2(3) The applicant shall provide documents, military transcripts, a certified affidavit, or forms that verify completion of the relevant military education, training, or service, which may include, when applicable, the applicant’s Certificate of Release or Discharge from Active Duty (DD Form 214) or Verification of Military Experience and Training (VMET) (DD Form 2586).

506.2(4) Upon receipt of a completed military service application, the board shall promptly determine whether the verified military education, training, or service will satisfy all or any part of the identified experience or educational licensure requirement.

506.2(5) The board shall grant credit requested in the application in whole or in part if the board determines that the verified military education, training, or service satisfies all or part of the experience or educational qualifications for licensure.

506.2(6) The board shall inform the military service applicant in writing of the credit, if any, given toward an experience or educational qualification for licensure, or explain why no credit was granted. The applicant may request reconsideration.

506.2(7) A military service applicant who is aggrieved by the board's decision may request a contested case (administrative hearing) and may participate in a contested case by telephone. A request for a contested case shall be made within 30 days of issuance of the board's decision. There shall be no fees or costs assessed against the military service applicant in connection with a contested case conducted pursuant to this subrule.

506.2(8) The board shall grant or deny the military service application prior to ruling on the application for licensure. The applicant shall not be required to submit any fees in connection with the licensure application unless the board grants the military service application. If the board does not grant the military service application, the applicant may withdraw the licensure application or request that the application be placed in pending status for up to one year or as mutually agreed. The withdrawal of a licensure application shall not preclude subsequent applications supported by additional documentation or information.

661—506.3(85GA,ch1116) Veteran reciprocity.

506.3(1) A veteran with an electrical license in another jurisdiction may apply for licensure in Iowa through reciprocity, based on the reciprocity procedures for licensed electricians as set out in the administrative rules in effect at the time that the application is made, and in compliance with any agreements with other jurisdictions regarding reciprocity. A veteran must pass any examinations required for licensure to be eligible for licensure through reciprocity. A fully completed application for licensure submitted by a veteran under this subrule shall be given priority and shall be expedited.

506.3(2) An application shall contain all of the information required of all applicants for licensure who hold unrestricted licenses in other jurisdictions and who are applying for licensure by reciprocity, including, but not limited to, completion of all required forms, payment of applicable fees, disclosure of criminal or disciplinary histories and, if applicable, a criminal history background check. In addition, the applicant shall provide such documentation as is reasonably needed to verify the applicant's status as a veteran under Iowa Code section 35.1(2).

506.3(3) Upon receipt of a fully completed licensure application, the board shall promptly determine if the licensing requirements of the jurisdiction where the veteran is licensed are substantially equivalent to the licensing requirements in Iowa. The board shall make this determination based on information supplied by the applicant and such additional information as the board may acquire from the applicable jurisdiction. The board may consider the following factors in determining substantial equivalence: scope of practice, education and coursework, degree requirements, and postgraduate experiences.

506.3(4) The board shall promptly grant a license to the veteran if the veteran is licensed in the same or similar profession in another jurisdiction whose licensure requirements are substantially equivalent to those required in Iowa, unless the applicant is ineligible for licensure based on other grounds, for example, the applicant's disciplinary or criminal background.

506.3(5) If the board determines that the licensure requirements in the jurisdiction in which the veteran is licensed are not substantially equivalent to those required in Iowa, the board shall promptly inform the veteran of the additional experience, education, or examinations required for licensure in Iowa. Unless the applicant is ineligible for licensure based on other grounds, such as disciplinary or criminal background, the following shall apply:

a. If a veteran has not passed the required examination(s) for licensure, the veteran may not be issued a provisional license but may request that the application be placed in pending status for up to one year or as mutually agreed to provide the veteran with the opportunity to satisfy the examination requirements.

b. If additional experience or education is required for the applicant's qualifications to be considered substantially equivalent, the applicant may request that the board issue a provisional license for a specified period of time during which the applicant will successfully complete the necessary experience or education. The board shall issue a provisional license for a specified period of time upon

such conditions as the board deems reasonably necessary to protect the health, welfare or safety of the public unless the board determines that the deficiency is of a character that the public health, welfare or safety will be adversely affected if a provisional license is granted.

c. If a request for a provisional license is denied, the board shall issue an order fully explaining the decision and shall inform the applicant of the steps the applicant may take in order to receive a provisional license.

d. If a provisional license is issued, the application for full licensure shall be placed in pending status until the necessary experience or education has been successfully completed or the provisional license expires, whichever comes first. The board may extend a provisional license on a case-by-case basis for good cause.

506.3(6) A veteran who is aggrieved by the board's decision to deny an application for a reciprocal license or a provisional license or is aggrieved by the terms under which a provisional license will be granted may request a contested case (administrative hearing) and may participate in a contested case by telephone. A request for a contested case shall be made within 30 days of issuance of the board's decision. There shall be no fees or costs assessed against the military service applicant in connection with a contested case conducted pursuant to this subrule.

These rules are intended to implement 2014 Iowa Acts, chapter 1116, division VI.